

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

August 22, 2007

The meeting was called to order at 4:00 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Phil Conder and Dale Clayton

ABSENT: Terri Mills

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Steve Lehman, Steve Pastorik, Ron Weibel, Hannah Thiel and Lori Cannon

WEST VALLEY ADMINISTRATIVE STAFF:

Nicole Cottle, Asst. City Attorney

AUDIENCE

Approximately five (5) people were in the audience.

GENERAL PLAN CHANGE APPLICATION:

GP-2-2007

West Valley City

General Plan change to amend the Major Street Plan by extending 5370 West between the Riter Canal and Lake Park Blvd. and to add 2625 South between 5370 West and 5600 West

Mr. Steve Pastorik presented the application.

City staff is requesting an amendment to the Major Street Plan to extend 5370 West between the Riter Canal and Lake Park Blvd. and to add 2625 South between 5370 West and 5600 West. The Major Street Plan is the plan that defines the future alignments of streets and their right-of-way widths. Both the extension of 5370 West and the addition of 2320 South are proposed as a 66' right-of-way. A 66' right-of-way accommodates one lane in each direction with a median turn lane.

The purpose behind these two changes to the Major Street Plan is to improve access to the 56 acres of property on the northeast corner of Lake Park Blvd. and 5600 West that Zion's Securities plans to develop as commercial. It is staff's understanding that Property Reserve Inc. (PRI), who owned the property before Zion's Securities, gave UDOT property for the widening of 5600 West. Apparently, when PRI gave the land to UDOT they also gave away access rights to 5600 West. So, UDOT will not allow a private access between Lake Park Blvd. and 2455 South (a distance of approximately 2,150') without essentially buying back the access rights. However, UDOT has indicated that if the access was for a public street, then the access could be approved without buying back the access rights.

City staff believes that an access between Lake Park Blvd. and 2455 South is warranted to serve a 56 acre commercial development. Hence, the addition of 2625 South is proposed. The extension of 5370 West is intended to connect with 2625 South so the street doesn't become a dead end and to allow service vehicles a way to access the commercial development without using Lake Park Blvd.

There being no discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Clayton moved for approval of the Major Street Plan changes proposed by staff.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Absent
Chairman Woodruff	Yes

Unanimous – GP-2-2007 – Approved

ZONE TEXT CHANGE APPLICATION:

ZT-7-2007

Zone Text Change Adding Temporary Residential Storage Containers

Ms. Hannah Thiel presented the application.

Legal Authority

7-2-129 Supplementary and Qualifying Regulations

Background

Staff is requesting a zone text change for the Supplementary & Qualifying Regulations Ordinance. The need for a zone text change is due to a number of lingering storage containers on residential streets, sidewalks, and front yards. The stagnant storage containers often diminish the aesthetic appeal of residential streetscapes. With research, it was found that most other cities do not have an ordinance to address storage containers in residential zones. Staff feels that although storage containers allow a great convenience for moving, it is appropriate to allow storage containers for a limited time period. This text change would add a definition of a 'Temporary Residential Storage Container' and would regulate the use of the storage containers to private property driveways and to two weeks in time. Planning Commission did not express any concern with this text change in the Study Session held on August 15, 2007.

Discussion: Hannah Thiel informed that the size of containers available from container companies range from 8' X 7' to 40' X 8'. Commissioner Conder asked if a 120 sq. ft. container would be affected by this application. Hannah explained that any and all containers located in front yards would be affected by this ordinance. She said they would still be allowed in residential rear yards. Commissioner Conder asked what about the containers that are used for construction which may take more than two weeks. Hannah assured there is a provision in the City's code allowing containers for construction purposes. Commissioner Matheson mentioned the new Charter School in West Valley has three pods on-site which have been there for more than two weeks. John Janson indicated such use is listed under the City's temporary use ordinance which covers construction purposes while the building is under general construction.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for a continuance to allow the Commission time to further discuss the construction issue.

Commissioner Conder seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	No
Commissioner Matheson	Yes
Commissioner Mills	Absent
Chairman Woodruff	Yes

Majority – ZT-7-2007 – Continued

SUBDIVISION APPLICATION:

S-40-2006
Treasure Isle Subdivision
3840 South 2400 West
R-1-8 Zone
28 Lots
8.0 Acres

Mr. Steve Lehman presented the application.

BACKGROUND

Mr. Marv Hendrickson is requesting final plat approval for the Treasure Isle Subdivision. The subject property is located at 3840 South 2400 West and is zoned R-1-8. Residential housing is located on the west and south of the property. The proposed subdivision is bordered on the north by 3800 South and the east by I-215.

STAFF/AGENCY CONCERNS:

Fire Department:

- Fire hydrants to be installed in accordance with the Uniform Fire Code.

Granger Hunter Improvement District:

- Project will need an availability letter for water, sewer and fire protection.
- Subject to design and review inspections.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures. Will need to evaluate how developer will handle the existing irrigation ditch.
- Coordinate storm water drainage with Public Works.
- Soils report will be required.

Building Inspections:

- Will need to follow recommendations outlined in the soils report.

ISSUES:

Mr. Hendrickson is requesting final plat approval for the Treasure Isle Subdivision. The subdivision consists of 28 lots on approximately 8.0 acres. This equates to an overall density of 3.5 units per acre. Lot sizes range from 8,010 to 11,794 square feet. The average lot size in the subdivision has been calculated at 9,700 square feet. Two lots fronting 3800 South with existing dwellings will be part of the subdivision, but have not been included in the square footage calculations.

Access to the subdivision will be gained from two stub streets in the Wright Subdivision to the west. The cross section throughout the subdivision will consist of a standard 54-foot right-of-way which will allow a 5-foot parkstrip and 5-foot sidewalk. The developer will need to transition the new improvements with the existing improvements in the Wright Subdivision to the west. During the study session, the Planning Commission asked what improvements would exist next to the Hidden Cove Townhomes. As the roadway through this area will maintain the 54-foot right-of-way, the Public Works Department is recommending that the parkstrip in this area be stamped colored concrete. This is being required in order to mitigate a potential maintenance problem.

The developer has been working with the Public Works Department regarding the irrigation and storm water systems. Fortunately, the developer was able to complete all of these improvements in 3800 South while this road has been under construction for Costco and City improvements. The remaining irrigation and storm drain improvements will be completed as part of the subdivision construction. The existing irrigation line will be abandoned when the new connection is completed.

As with all new subdivision development, there is a concern with the potential of ground water impacts. Although recent subdivision development on the east side of I-215 did not indicate high ground water levels, the applicant will need to submit a soils report. Staff had hoped that this report would have been completed by now, but we have yet to see one. A soils report will be required and will need to be submitted prior to City Council review.

Housing for this development will be in accordance with the City's single family design standards. Certain lots within the subdivision do not meet the 80-foot frontage requirement. For these lots, the developer is applying a provision in the ordinance that allows up to 25% of the total lots to have a reduction in the frontage of up to 15%. For these lots, the design standards will increase with homes being 100% masonry and an additional 200 square feet of living space. Although some lots will have a reduced frontage, lot depth averages approximately 150 feet and the majority of lots are over 10,000 square feet in size.

Applicant:

**Mr. Marv Hendrickson
3251 West 4100 South**

Discussion: Commissioner Matheson asked how the small separate portion of property by lots 24 and 23 will be developed. Steve Lehman said years ago it was deeded to the lots in the Wright Subdivision, stating it is part of the lots to the west. Mr. Marv Hendrickson told the Commission that the owners of the small parcel to the west do not have any interest in selling. He stated they elected to develop around that parcel of property. Mr. Hendrickson noted the irrigation ditch goes through the parcel as well as the remainder of the property on the west side. He assured that all irrigation issues have been resolved. The neighbors are happy the property will be developed into a single family development rather than a multi-family development. Mr. Hendrickson mentioned there were some challenges with the loop road which have also been resolved. He thanked each Planning Commission member for doing this type of job which is sometimes thankless.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for approval of the Treasure Isle final plat subject to the following conditions:

1. That compliance be made with Granger Hunter Improvement District regarding water line extensions, sewer connections and fire protection.
2. That the subdivision name and interior street names be approved by Salt Lake County.
3. That recommendations outlined in the soils report be followed.
4. That interior street widths and cross sections be reviewed and approved by the Public Works Department.
5. That all matters pertaining to the irrigation system be addressed with the Public Works Department including storm drainage.
6. That the parkstrip adjacent to the Hidden Cove Townhomes be finished with stamped color concrete.
7. That all dwellings comply with Section 7-14-105 of the City Code. For

those lots where the frontage does not meet the R-1-8 standard, dwellings will need to be 100% masonry as defined in that section along with an additional 200 square feet of living space.

8. That the developer resolve all staff and agency concerns.

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Absent
Chairman Woodruff	Yes

Unanimous – S-40-2006 – Approved

S-15-2007
Hollow Creek Subdivision
3315 South 6400 West
R-1-7 Zone
4 Lots

Mr. Steve Lehman presented the application.

BACKGROUND

Jean Dixon is requesting preliminary and final plat approval for the Hollow Creek Subdivision. The subject property is located at 3315 South 6400 West. It is bordered on the north, east and south by existing residential development. The subject property was rezoned in April 2007 from the A Zone to the R-1-7 Zone.

STAFF/AGENCY CONCERNS:

Fire Department:

- Fire hydrants to be installed in accordance with the Uniform Fire Code.

- Will need to provide a turnaround for emergency vehicles.

Granger Hunter Improvement District:

- Project will need to run availability for water, sewer and fire protection.
- Subject to design and review inspections.
- Will need to install a master meter for water services.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- Revisions to plat are required.
- Street improvements along 6400 West will need to be coordinated with Public Works.
- Will need to submit a soils report.

Building Inspections:

- Follow recommendations outlined in the soils report.

ISSUES:

- ☐ The developer is proposing a preliminary and final plat for a new subdivision consisting of 4 lots. Two existing single-family dwellings are located on the property. The dwelling on lot 1 will remain while the other dwelling will be removed to provide access to the subdivision. As all new lots will be considered flag lots, they will need to meet the minimum requirement of 10,000 square feet. The smallest lot in the subdivision is approximately 11,500 square feet.
- ☐ The subject property was rezoned a few months back. As part of the rezone, the applicant agreed to a number of development standards. Staff has attached these standards for the Planning Commissions review.
- ☐ Access to the subdivision will be gained from 6400 West. Lots 2-4 will gain access

via a private lane. A turnaround has been provided between lots 2 and 3 for emergency vehicles. The private lane will be maintained in common by the owners of lots 2-4.

4.

- ☐ Street improvements along 6400 West will consist of curb gutter and sidewalk. The private lane will be improved with curb gutter and sidewalk along the south side. The connection of new improvements with those already existing along 6400 West will need to be coordinated with the City Engineering Division.
- ☐ As with all new subdivision development, there is a concern with the potential of ground water impacts. The applicant will need to provide a soils report as the subdivision progresses through the City's process. Ground water has not been a problem for adjacent subdivisions.
- ☐ The new lane providing access into the subdivision will create double frontage lots for those existing residences to the south. In order to mitigate the problems that may arise from this situation, the developer has agreed to install a 6-foot solid type fence. Staff will recommend that a vinyl fence be installed to comply with this requirement.

Applicant:

Jean Dixon

6183 S. 2375 E.

Discussion: Ms. Jean Dixon told the Commission the water report shows no ground water problems. She said she would give a copy of the report to staff. Ms. Dixon agreed to the suggestion of placing a fence along the south side of the development. Commissioner Matheson suggested the fence on the south side of the property should extend to the east property line of Lot 4 to resolve any problems with existing lots. Ms. Dixon agreed with this suggestion. Commissioner Conder asked about the property to the east. Steve replied the property to the east has two lots with homes that were developed last year.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Conder moved for approval of the Hollow Creek Subdivision subject to a development agreement and the following item:

1. The fence on the south side of the property should extend to the east property line of Lot 4.

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Absent
Chairman Woodruff	Yes

Unanimous – S-15-2007 – Approved

CONDITIONAL USE APPLICATION:

C-27-2007

Bevans Marine

4615 West 3500 South

C-2 Zone 4.81 Acres

Mr. Ron Weibel presented the application.

The applicant is requesting an amendment to an existing conditional use to modify the front landscape setback to be able to reduce the amount of landscaping and use more of the area for merchandise display. The business sells boats and is located at 4615 West 3500 South in a general commercial (C-2) zone. The West Valley City General Plan designates this area as general commercial.

This business received conditional use approval in 1984 and has a landscaping plan as part of that approval. This landscaping plan shows a 30 foot landscape setback along the frontage on 3500 South, with a paved display area approximately 10 feet deep by 50 feet wide encroaching into the landscaping in the area of the pole sign. There is also landscaping shown around the building on the approved landscape plan.

The business was cited by West Valley City Ordinance Enforcement for failure to maintain their landscaping as approved by their conditional use, C-49-86. The business has not maintained the landscaping and has replaced some of the front setback landscaping with a concrete pad used for display of boats for sale. The applicant had

submitted a basic plan that calls for Astroturf over approximately 60% of the front landscape area with the other portion naturally landscaped. He has since brought in a revised development plan that indicates that he will return the landscaping to what was originally approved, but would like to request additional display area in the landscape buffer area fronting on 3500 South.

Chapter 7-13-103(2) states: "Fifty percent of the area of the landscape buffer shall be planted with grass and shade and/or large conifer trees. The remaining 50 percent of the area may include, but not limited to, vehicular access drives, specialty paving, street furniture, and outdoor seating areas. There shall be a minimum of one tree planted for ever 600 square feet of the gross area of the landscape buffer." The area considered landscape buffer includes access drives.

Chapter 7-9-1008(2) states: "No outside storage shall be allowed for any conditional use except when expressly permitted by the Planning Commission." This use was originally approved for an outside storage/display area of approximately 500 square feet. Staff feels that there is ample area in the front of the building adjacent to the landscape buffer to display additional boats without interfering with required parking or encroaching into any more of the landscaping. Parking encroachment is not allowed in the landscape setbacks on any arterial street listed in Chapter 7-13. 3500 South is one of these streets. The original landscape plan approved by the Planning Commission in 1986 included landscaping around the front of the building. According to information submitted by the applicant years of water seepage associated with this landscaping has eroded the foundation in this area. The applicant has already eliminated this landscaping and is requesting approval from the Planning Commission to substitute potted trees and plants in this area.

Enclosed in the packet with this analysis is a copy of the applicant's development plan, a copy of the letter from the contractor on the foundation water damage and a copy of the area of the original site plan that shows the approved landscaping for the front setback and display area. Since the applicant has revised his plan to eliminate the Astroturf and return the landscaping to the original configuration I have not included the site plan for the original proposal.

Discussion: The applicant was not in attendance. Commissioner Conder indicated the applicant's property is not being maintained and they should be required to adhere to the original requirements. Ron Weibel reminded that the 10' X 50' area around the pole was originally approved as a display area, but the remaining concrete pads have not been approved. Commissioner Fuller confirmed what was being voted on at this hearing. Ron indicated if this application is approved, the motion should also include the hard area around the sign as it is now. Chairman Woodruff had issues with the applicant's request, stating they already have a large amount of concrete display area. Commissioner Clayton

noted that it would be best if the applicant had taken care of the existing landscaping. Ron explained that increased hard surfacing has been placed but the plans were not stamped, and he did not know if they had actually been approved. Commissioner Matheson commented that the home, which is part of the lot, is also not in compliance with the City's landscaping ordinance. He said the applicant should be put on notice to take care of the landscaping or it would become an ordinance enforcement issue. Chairman Woodruff wondered about approving the change as it is today, legalizing what is there now, but requiring the applicant to clean up and maintain the landscaping. Ron reminded that there has been new concrete placed which has two boats displayed on it. He suggested the Commission approve the concrete around pole sign, but not newly placed concrete pads. Commissioner Conder stated he did not like displays on the main road or the Astroturf that the applicant plans to place. He suggested the application should be continued. Commissioner Clayton asked if enforcement would be suspended if this application was continued. Ron replied yes, it would be suspended. Commissioner Clayton suggested the application be denied, as he did not want to delay any enforcement.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Clayton moved for denial of the application by requiring the applicant to comply with the original landscaping agreement. Compliance will require the landscaping by the building to be reinstalled, all landscaping and trees to be replaced in the front setback area, and the display pad adjacent to the pole sign to be reduced to the original 10' X 50' dimension.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	No
Commissioner Mills	Absent
Chairman Woodruff	Yes

Majority – C-27-2007 – Denied

PLANNING COMISSION BUSINESS:

Approval of minutes from July 11, 2007 (Regular Meeting) - **Approved**
Approval of minutes from July 25, 2007 (Regular Meeting) - **Continued**
Approval of minutes from August 8, 2007 (Regular Meeting) - **Approved**
Approval of minutes from August 15, 2007 (Study Session) - **Approved**

There being no further business, the meeting adjourned at 4:32 p.m.

Respectfully submitted,

Lori Cannon, Administrative Assistant